

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2017 OCT -6 AM 11:15

H. HIRSCHMANN, LTD.,

Plaintiff,

v.

GREEN MOUNTAIN GLASS, LLC, and
ADCO PRODUCTS, LLC,

Defendants.

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Case No. 5:15-cv-00034

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BY LAW
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**DECISION ON PENDING MOTIONS
AND SCHEDULING ORDER**

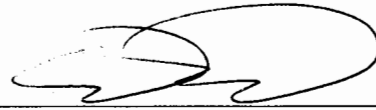
Following a hearing on pending motions on October 5, 2017, the court orders as follows:

1. Plaintiff's Motion for an Order to Compel Disclosure of Defendant ADCO's Expert Witness Report (Doc. 119) is GRANTED. ADCO's expert witness reports shall be provided to opposing counsel not later than January 1, 2018. The Motion for Payment of Reasonable Expenses in Making the Motion is DENIED.
2. The court GRANTS Plaintiff's Motion for an Order to Compel Disclosure by ADCO of all complaints relating to the failure of its products containing the substance polyisobutylene (PIB) (Doc. 112). Any complaints relevant to this claim including complaints of PIB which has run or dripped onto window panes, spread from its intended location or malfunctioned in a manner substantially similar to the complaint in this case shall be disclosed within thirty (30) days. The disclosure shall cover all ADCO products which contain PIB. The period of disclosure is 11 years, from the beginning of 2003 through the end of 2013. The Motion for Payment of Reasonable Expenses in Making this Motion is DENIED.
3. The court will issue a ruling on ADCO's Motion for Summary Judgment (Doc. 114) and the possible bifurcation of the trial after November 1, 2017. Any supplemental memoranda concerning the question of bifurcation shall be filed not later than November 1, 2017.
4. The Motion for a Scheduling Conference (Doc. 122) is GRANTED.
5. Defendant ADCO Products shall take steps prior to November 1, 2017, to gain reasonable access to conduct an inspection of the completed windows as installed in the Illinois residence. The inspection shall be completed not later than December 1, 2017.

6. ADCO shall complete the deposition of Mark Lavinia not later than November 1, 2017 and shall provide a copy of the transcript to the court if it is relevant to the issues raised in the pending summary judgment motion.

SO ORDERED.

Dated at Rutland, in the District of Vermont, this 6th day of October, 2017.

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by a series of loops and a final flourish.

Geoffrey W. Crawford, Judge
United States District Court